

REMARKS

This Amendment is in response to the Final Office Action mailed March 31, 2008. With this amendment claims 1, 13, 25, 30 and 31 are amended and the remaining claims are unchanged. Reconsideration and withdrawal of the rejections are respectfully requested in view of the following remarks.

I. Interview Summary

On April 24, 2008 an in person interview was held between Examiner Neil Mclean and the Applicant's representative Nathan Rau. During the Interview the present application, claims and cited art were discussed. The following paper is based at least in part on the discussion of the Interview. The Applicant wishes to thank the Examiner for taking time to meet with us to discuss this case.

II. Amendments

Claims 1, 13, 25, 30 and 31 are amended to clarify where various activities are occurring. These amendments are supported by the description provided in the specification and no new matter is presented. Claim 13 is also amended to correct a typographical error that was discovered.

III. Rejections under §103

In item 3 of the Office Action claims 1-6, 8-12, 25 and 27-31 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hines, U.S. Patent No. 6,392,758 (hereinafter "Hines") in view of Aoki, U.S. Patent Application Publication 2002/0060809, (hereinafter "Aoki"). The Applicant has reviewed the cited references and must respectfully disagree.

A. Claims 1-6, 8-12 and 25-31

Claim 1 recites "sending from the client an initial request for services relating to a job to said rendering device that indicates characteristics of said job." The Examiner indicated that this was disclosed by the Hines reference at column 8 lines 32-34.

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However, at the cited section the print application contacts the GDI with the print job. From that point on the GDI processes the print job and sends the print job to the printer. Nowhere in the cited portion of Hines or anywhere else in the reference, is an initial request sent to the rendering device that indicates the characteristics of the job. It should be noted that the characteristics of the job are separate from the actual job. Therefore, it is respectfully submitted that Hines does not disclose this element of the claim. Aoki does not disclose this feature either.

Claim 1 further recites “acknowledging, at the rendering device, the initial request and requesting rendering data for the job to be sent from the client.” The Examiner indicated that this was disclosed by Hines at column 8 lines 34–36, and by Aoki at the abstract lines 16–18. In Hines, the GDI accesses the print driver that is local to the client and obtains information on how to render the image on the printer. Once it receives this information the GDI sends the print job to the printer. In Aoki, the client sends the entire print job to the printer. Once the print job is received by the printer in Aoki, it determines if the job exceeds the printer’s ability. If the job exceeds the printer’s ability the printer sends the job to the server device to process the job. The print job is processed on the server and then pushed back to the printer for printing. At no point in the Aoki reference does the printer request rendering data. However, neither Hines nor Aoki disclose a situation where the printer (rendering device) receives an initial request (having only the characteristics of the job) and then requests the rendering data from the client. Thus, it is respectfully submitted that the indicated combination of Hines and Aoki does not disclose this feature of claim 1 in its entirety.

Claim 1 further recites “in response to the request for rendering data from the rendering device, sending from the client rendering data” The Examiner indicated that this was disclosed by Hines at column 8 lines 36–38, 45–48, and column 2 lines

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51–53. Aoki was not used in the rejection of this element. However, in the cited sections of Hines the client does not receive a request for rendering data from the rendering device. In the Hines reference, the print job is pushed to the printer without regard for the actual impact of the job on the printer. Thus, there is no request for the rendering data sent to client from the printer. In fact, the Hines reference would be unable to manage a request coming from the rendering device. Therefore, it is respectfully submitted that the combination Hines and Aoki do not disclose this feature of claim 1 in its entirety. Thus, claim 1 is believed allowable. Claim 30 is believed allowable as well for similar reasons. Furthermore, dependent claims 2–6 and 8–12 are believed allowable as well, at least, based on their dependency either directly or indirectly from independent claim 1. Reconsideration and withdrawal of the rejection are respectfully requested.

B. Claims 25–29

Claim 25, as amended, recites “...in response the request for print data from the printer, sending from the client print data....” The Office Action asserted that this was disclosed at column 8 lines 32–38 of the Hines reference, and the Abstract of Aoki. However, as discussed above, the printer in Hines does not request anything let alone print data from the client. In fact the Hines reference is a push type system that “waits an appropriate amount of time before sending the print data to the printer.” See Hines column 10 lines 65–66. Further, as discussed above Aoki does not generate requests for rendering data from the client either. Aoki, pushes the data to a location other than the sending client and then that data is provided back to the printer. As neither the printer in Hines nor the printer in Aoki requests data from the client it is respectfully submitted that claim 25 is not obvious in view of the combination of Hines and Aoki. Furthermore, dependent claims 26–29 are believed allowable as well, at least by virtue of their

dependency either directly or indirectly from claim 25. Reconsideration and withdrawal of the rejection are respectfully requested.

C. Claim 31

Claim 31, as amended, recites “sending from the client an initial request for services related to a job to said printer... receiving, at the client, from the printer an acknowledgement of the initial request and a request for rendering data....” The Office Action asserted that this was disclosed at column 8 lines 32–38 of the Hines reference and the Abstract of Aoki. However, as discussed above with respect to claim 1, neither Hines nor Aoki disclose the printer requesting anything from the client. The client in Hines cannot receive a request for rendering data from the printer as the Hines reference “waits an appropriate amount of time before sending the print data to the printer.” See Hines column 10 lines 65–66. Conversely, in Aoki there is no request generated by the printer that is transmitted anywhere. Thus, it is respectfully submitted that neither Hines nor Aoki disclose all of the features of claim 31 in its entirety. Therefore, claim 31 is believed allowable over the combination of Hines and Aoki. Reconsideration and withdrawal of the rejection are respectfully requested.

D. Claim 7

In item 6 of the Office Action claim 7 was rejected under 35 U.S.C. §103(a) as being unpatentable over Hines in view of Aoki in further view of Maruyama, U.S. Patent No. 7,227,660 (hereinafter “Maruyama”). The Applicant respectfully disagrees.

Claim 7 is a dependent claim that depends from independent claim 1. The Office Action asserted that Hines disclosed all of the features of claim 7 with the exception of retransmission of data that was previously discarded during the rendering of the job for subsequent use in rendering. See Office Action page 10. As discussed above, neither the Hines reference nor the Aoki reference disclose all of the features of independent

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claim 1. The addition of the Maruyama reference does not correct the deficiencies identified in claim 1. Therefore, the combination of Hines and Maruyama does not disclose all of the features of independent claim 1. Thus, it is respectfully submitted that the asserted combination cannot disclose all of the features of dependent claim 7. Reconsideration and withdrawal of the rejection are respectfully requested.

E. Claims 13–24

In item 5 (page 11) of the Office Action claims 13–24 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hines in view of Aoli in further view of Perkins and Harjono, “Resource Discover Protocol for Mobile Computing” (hereinafter “Perkins and Harjono”). The Applicant has reviewed the references must respectfully disagree.

Claim 13 recites “submitting a data request for document data at the source address; said data request identifying a resource in the document to retrieve, and an amount of resource data to retrieve....” The Examiner asserted that Hines disclosed all of the features of claim 13 with the exception of “a unique source identifier for the job, a source addressfor use by the client to subsequently identify the print job on the printer.” See Office Action page 12. The Examiner asserted that Perkins and Harjono disclosed this feature. However, in the method of claim 13 the printer submits the data request for document data. In contrast, as discussed above with respect to the rejection of claim 1, neither the Hines reference nor the Aoki reference disclose that the printer requests or submits a data request to the client. The addition of Perkins and Harjono does not remedy this deficiency, nor has the Examiner asserted so. Therefore, it is respectfully submitted that the combination of Hines, Aoki and “Perkins and Harjono” does not teach or suggest in its entirety the features of independent claim 13. Thus claim 13 is believed allowable. Furthermore, dependent claims 14–24 are believed allowable as well, at least, by virtue of their dependency either directly or indirectly from

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allowable independent claim 13. Reconsideration and withdrawal of the rejection are respectfully requested.

F. CONCLUSION

Accordingly, in view of the above amendment and remarks it is submitted that the present claims are patentably distinct over the prior art of record and that all the rejections to the claims have been overcome. Based on the foregoing, Applicants respectfully requests that the pending claims be allowed, and that a timely Notice of Allowance be issued in this case. Reconsideration and of the pending claims is respectfully requested.

If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

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If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee that is not covered by an enclosed check please charge any deficiency to Deposit Account No. 50-0463.

Respectfully submitted,
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Date: May 30, 2008

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